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SERVICE DATE – AUGUST 6, 2012

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 32 (Sub-No. 105X)

BOSTON AND MAINE CORPORATION—ABANDONMENT
EXEMPTION—IN WORCESTER COUNTY, MASS.

Decided: August 6, 2012

Boston and Maine Corporation (B&M) filed a verified notice of exemption under 49 C.F.R. pt. 1152 subpart F—Exempt Abandonments to abandon a 0.14 mile freight rail operating easement for a line of railroad known as the Heywood Branch, between mileposts 27.29 and 27.43, in Gardner, Worcester County, Mass. Notice of the exemption was served and published in the Federal Register on July 6, 2012 (77 Fed. Reg. 40,147). The exemption is scheduled to become effective on August 7, 2012.

The Board's Office of Environmental Analysis (OEA) served an environmental assessment (EA) in this proceeding on July 13, 2012. In the EA, OEA indicates that the National Geodetic Survey (NGS) has identified one geodetic station marker in the area of the proposed abandonment. Accordingly, OEA recommends that a condition be imposed on any decision granting abandonment authority requiring B&M to consult with NGS and notify NGS at least 90 days prior to beginning salvage activities that could disturb or destroy any geodetic station markers.

No comments were received by the July 27, 2012 due date. Accordingly, the condition recommended by OEA in the EA will be imposed. Based on OEA's recommendation, the proposed abandonment, if implemented as conditioned, will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. This proceeding is reopened.
2. Upon reconsideration, the notice served and published in the Federal Register on July 6, 2012, exempting the abandonment of the line described above is subject to the condition that B&M shall consult with NGS and notify NGS at least 90 days prior to beginning salvage activities that could disturb or destroy any geodetic station markers.

3. This decision is effective on its service date.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.